

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

McWane, Inc. :
Plaintiff, : Case No. C-1-00-986
v. : Judge Herman J. Weber
Fidelity and Deposit Company :
of Maryland,
Defendant. :

AGREED JUDGMENT

Upon motion of the parties pursuant to Fed. R. Civ. P. 68, the Offer of Judgment by Defendant Fidelity and Deposit Company of Maryland, and the Acceptance by Plaintiff McWane, Inc., and the Offer and Acceptance having been filed, Judgment is hereby entered in favor of Plaintiff McWane, Inc. against Defendant Fidelity and Deposit Company of Maryland in the sum of \$500,801.94 plus court costs to date in the amount of \$255.00.

APPROVED:

/s/ Daniel F. Gourash
Daniel F. Gourash (0032413), Trial Counsel
David A. Bell (0046817)
Michael J. Montgomery (0070922)
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/s/ William H. Woods
William H. Woods (0006748), Trial Counsel
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Deposit Company of Maryland